

REMARKS

Claims 9-15 and 17-20, all the claims pending in the application, stand rejected. Applicants have amended independent claim 9 to incorporate the limitations of dependent claim 17, and have amended independent claim 18 to incorporate the limitations of dependent claim 19. Claims 17 and 19 are cancelled.

With this amendment, the claims expressly state that the “writer” contained in the “manager” is operative to update the “identification information” when the restriction of the unlocking actuation of the limiter is released (claim 9) or when the releasing step is performed (claim 18). The claims are further clarified by stating that the updating is performed in the key. This feature is explained at least at page 24 and 27 of the application.

Claim Rejections - 35 U.S.C. § 103

Claims 9-13, 15 and 17-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gokcebay (5,337,043) in view of Ayala et al (2002/0014950) and Hurskainen et al (6,155,089). This rejection is traversed for at least the following reasons.

The Examiner substantially repeats the basis for his rejection of these claims from the prior Office Action, particularly with respect to the discussion of the teachings of Gokcebay and Hurskainen as they are applied to claim 9. The Examiner applies the newly cited reference to Ayala et al for a teaching of the limitation added in the previous amendment filed on March 1, 2005. In particular, the Examiner points to paragraph [0010] for a teaching that is relevant to the additional limitations added to claim 9, reciting that the manager includes a writer which rewritably records the identification information in the first storage of the key, and the limitation in claim 18, reciting that the identification information in the first storage is rewritable, are taught in Ayala et al.

Ayala et al

Ayala et al concerns a method for programming a key for selectively allowing access to an enclosure, which is described in paragraph [0033] as including automated telemachines, cabinets, storage units, vending machines and other similar types of enclosures. A related

system is illustrated in Fig. 2 of Ayala et al, where there is a route manager computer 34 that is coupled to a smart card 38 and a key 30. As described at paragraph [0033], the key is used for controlled access to an enclosure 31 by communication with a lock controller 32. The key 30 contains data that is used to provide controlled access to the lock controller 32. The key can be loaded with such data by the route manager computer 34 via a key interface 40. An exemplary key is illustrated in Fig. 3 and is a complex device that includes a processor, a transmitter, a power supply, a key pad and a display. The data used for controlled access to the lock controller 32 includes a key identification (ID) uniquely identifying the key 30.

As explained at paragraph [0047] - [0054], a key also may be loaded with a variety of information, including an identification of a given person, a given route, or a PIN, as illustrated in block 140 of Fig. 9.

The operation of the key with the lock controller is explained at paragraph [0056] - [0057] where the use of a valid pin and operational key permits wireless transmission of both power and data to a lock controller. A further explanation of this process is provided at paragraph [0062]. The operation of the lock controller and the key are further described in subsequent paragraphs with regard to an interrogation signal 202, a response signal 204 and an access report signal 206.

In none of this disclosure, however, is there a teaching with respect to the updating of identification information when the restriction of the unlocking actuation of the limiter is released. Thus, as amended, claims 9 and 18 would be patentable over the prior art.

Applicants note that the Examiner interpreted the limitation in claim 17 as simply requiring a recording of information about a key entry or operation. However, Applicants respectfully submit that, according to the clear language of the claim, the rewritable recording of identification information occurs in the key first storage. Applicants have clearly and unambiguously stated this limitation in claims 9 and 18. Thus, this basis, the rejection should be overcome.

Amendment Under 37 CFR 1.111
U.S. Application No. 10/780,672

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gokcebay in view of Hurskainen as applied to claim 13 and further in view of Lemelson (4,200,227). This rejection is traversed for at least the following reasons.

In the Amendment filed on March 1, 2005, Applicants provided arguments at pages 7 and 8 as to why claim 14 would be patentable over these three references. Indeed, claim 14 depends from claim 13, which depends from claim 9. Since the Examiner has not cited Ayala et al in this rejection, the deficiencies of the rejection are clear and admitted by the Examiner. Thus, claim 14 should be considered patentable over the cited references

Even if the Examiner issues a new Office Action citing Ayala in combination with Gokcebay, Hurskainen and Lemelson, the claims would be patentable for the reasons already given with regard to claim 9.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

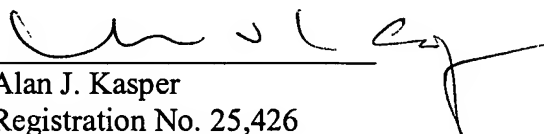
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Alan J. Kasper
Registration No. 25,426

Date: October 11, 2005